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DEC 29 2008	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY _____	Z DEPUTY

Van E. Flury
4009 W. Kiva Street
Laveen, Arizona 85339
(602) 237-9152, (602) 319-8777

Plaintiff, Pro Per

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

VAN E. FLURY, an individual,

Plaintiff,

vs.

HEALTHCARE COLLECTIONS, INC., an
Arizona state corporation,

CHOICEPOINT, INC., a Georgia state
corporation,

COUNTRYWIDE FINANCIAL
CORPORATION, a California state foreign
corporation,

LANDSAFE CREDIT, INC., a California
state corporation,

SAFECO CORPORATION, a Washington
state corporation;

Defendants.

CASE NO. CV-08-02098-PHX (SRB)

**2nd AMENDED COMPLAINT: TO
ADD PARTY, SAFECO
CORPORATION**

**VIOLATIONS OF FAIR CREDIT
REPORTING ACT**

JURISDICTION

1) Plaintiff alleges the Court's jurisdiction of this matter pursuant to a Federal Question: the cause of action against all defendants arising under the laws of the United States, pursuant to the: *FCRA, U.S.C. Title 15, section [1681] et seq.*

COMPLAINT

HEALTHCARE COLLECTIONS, INC.

2) Plaintiff alleges that the defendant, HealthCare Collections, Inc. [is not] a licensed collection agency in the state of Arizona.

3) Plaintiff further alleges that the defendant, HealthCare Collections, Inc., is willfully and knowingly, reporting [4] adverse collection accounts to the consumer credit files of the plaintiff, Van E. Flury; specifically, TransUnion, Equifax, and Experian; from 4/26/2006, to present, even though the defendant, HealthCare Collections, Inc., [is not] a licensed collection agency in the state of Arizona.

4) Plaintiff further alleges that the defendant, HealthCare Collections, Inc., has violated the [FCRA], specifically, *U.S.C. Title 15, sec. 1681s-2, Responsibilities of furnishers of information to the consumer reporting agencies*, [4] times against the plaintiff, Van E. Flury, by willfully and knowingly, reporting the [4] adverse collection accounts to plaintiff's, TransUnion, Equifax, and Experian credit files.

5) Plaintiff further alleges that the adverse collection accounts are being specifically reported to plaintiff's consumer credit files by the legal entity of: [**HealthCare Collections, Inc.**].

CHOICEPOINT, INC.

6) Plaintiff alleges that the defendant, CHOICEPOINT, INC., did knowingly obtain a copy of the plaintiff's, Equifax Credit file on: September 17, 2008, without a permissible purpose; pursuant to the: [FCRA] *U.S.C. Title 15, sec. 1681b, Permissible purposes of consumer reports*. Plaintiff further alleges that this [hard] inquiry into the plaintiff's Equifax credit file by the defendant [was

1 not] initiated by the plaintiff, and the defendant, otherwise had no other permissible purpose for
2 knowingly obtaining a copy of plaintiff's: Equifax Credit file.

3
4
5 **COUNTRYWIDE FINANCIAL CORPORATION**
6

7 7) Plaintiff alleges that the defendant, COUNTRYWIDE FINANCIAL CORPORATION, did
8 knowingly obtain a copy of the plaintiff's, TransUnion Credit file on: April 23, 2008, without a
9 permissible purpose; pursuant to the: [FCRA] *U.S.C. Title 15, sec. 1681b, Permissible purposes*
10 *of consumer reports*. Plaintiff further alleges that this [hard] inquiry into the plaintiff's
11 TransUnion Credit File by the defendant [was not] initiated by the plaintiff, and the defendant,
12 otherwise had no other permissible purpose for knowingly obtaining a copy of plaintiff's:
13 TransUnion Credit File.
14

15 **LANDSAFE CREDIT, INC.**
16

17 8) Plaintiff alleges that the defendant, LANDSAFE CREDIT, INC., did knowingly obtain copies of
18 plaintiff's, Experian and Equifax Credit Files on: April 23, 2008, without a permissible purpose;
19 pursuant to the: [FCRA] *U.S.C. Title 15, sec. 1681b, Permissible purposes of consumer reports*.
20 Plaintiff further alleges that these [hard] inquiries into plaintiff's: Experian and Equifax Credit
21 Files by the defendant [were not] initiated by the plaintiff, and the defendant, otherwise had no
22 other permissible purpose for knowingly obtaining copies of plaintiff's: Experian and Equifax
23 Credit Files.
24

25 **SAFECO CORPORATION**
26

27 9) Plaintiff alleges that the defendant, SAFECO CORPORATION., did knowingly obtain a copy
28 of the plaintiff's, Equifax Credit file on: September 17, 2008, without a permissible purpose;

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Complaint - Fair Credit Reporting Act.

pursuant to the: [FCRA] *U.S.C. Title 15, sec. 1681b, Permissible purposes of consumer reports.*
 Plaintiff further alleges that this [hard] inquiry into the plaintiff's Equifax credit file by the
 defendant [was not] initiated by the plaintiff, and the defendant, otherwise, had no other
 permissible purpose for knowingly obtaining a copy of plaintiff's: Equifax Credit file.

PRAYER FOR RELIEF AND DEMAND FOR JUDGMENT

10) For their willful noncompliance, plaintiff prays for judgment against the following defendants for
 the actual damages sustained by the plaintiff in the amount of: \$1,000.00, per each defendant, pursuant to:
U.S.C. Title 15, section: 1681n (a)(1)(B), in their so obtaining a copies of plaintiff's credit reports without
 a permissible purpose.

A) CHOICEPOINT, INC. [1] violation:	\$1,000.00
B) COUNTRYWIDE FINANCIAL CORPORATION [1] violation:	\$1,000.00
C) LANDSAFE CREDIT, INC. [2] violations:	\$2,000.00
D) SAFECO CORPORATION. [1] violation:	\$1,000.00

11) Plaintiff prays for judgment against defendant, HEALTHCARE COLLECTIONS, INC., in
 the amount of: \$4,000.00, as the actual damages sustained by plaintiff pursuant to: *U.S.C. Title 15,*
section: 1681n (a)(1)(A), for their willfully failing to compile with the requirements imposed under:
U.S.C. Title 15, sec. 1681s-2, (Responsibilities of furnishers of information to the consumer
reporting agencies) in that they are reporting, and continuing to report, [4] adverse collection
 accounts to plaintiff's consumer credit files as a [non] licensed collection agency in the state of
 Arizona. Plaintiff also prays for injunctive relief in that the defendant be ordered to have the [4]
 adverse collection accounts removed from the respective credit files of the plaintiff.

12) Plaintiff prays also for judgment against all defendants jointly and/or severally for his
 taxable costs in bringing the lawsuit.

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Complaint - Fair Credit Reporting Act.

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Dated this 29th day of December 2008.

By : 

Van E. Flury, plaintiff
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Laveen, Arizona 85339
(602) 237-9152, (602) 319-8777

PROOF OF SERVICE

ORIGINAL of the foregoing
filed this 29th day of December 2008,
with the: US District Court, 401 W.
Washington, Phoenix, Arizona
85003

COPY of the foregoing mailed this
29th day of December 2008, to:

LANDSAFE CREDIT, INC.

C/O: CT CORPORATION SYSTEM
818 WEST 7TH STREET
LOS ANGELES, CA 90017

COUNTRYWIDE FINANCIAL CORPORATION

C/O: THE PRENTICE-HALL CORPORATION SYSTEM, INC.
2730 GATEWAY OAKS DRIVE, SUITE 100
SACRAMENTO, CA 95833

BY: 

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Complaint - Fair Credit Reporting Act.